

REMARKS

I. INTRODUCTION

Claims 1-16 have been amended. Claim 17 has been cancelled. No new matter has been added. Thus, claims 1-16 remain pending in the present application. In light of the following remarks, Applicants respectfully submit that all presently pending claims are in condition for allowance.

Claims 1-15 are amended for non-statutory reasons, specifically to remove figure label numbers.

The amendment to claim 16 is supported by at least paragraph [0046] of the specification.

II. THE 35 U.S.C. § 102(b) REJECTION SHOULD BE WITHDRAWN

Claims 1-17 stand rejected under 35 U.S.C. § 102(b) as anticipated by Koike et al. (U.S. Published App. No. 2002/0191955). (*See*, 3/12/10 Office Action, p. 2).

Claim 1, as amended, recites, “[a] video recording apparatus comprising: a first input for receiving at least a first input signal of a first type; a second input for receiving at least a second input signal of a second type different than the first type; *means for operating in a first operating mode when no input signal is detected on the second input; and means for operating in a second operating mode having different functionality than the first operating mode when an input signal is detected on the second input.*”

Koike discloses a data recording and reproducing apparatus (1) that can edit audio and/or visual data. (*See*, Koike, Abstract). Koike’s apparatus has two input/output means. Initially, Applicants would like to point out that Koike does not disclose different operating modes. Depending on whether an outside apparatus is connected to one of the two input/output means, Koike discloses the transfer of data to or from the outside apparatus. (*Id.*, at ¶¶ [0048], [0055]). However, the data transfer is not an operating

mode. In fact, the only disclosure Koike makes regarding operating modes is that “VTR portion 10 has two operation modes of, for example, normal recording and reproduction and high speed recording and reproduction.” (*Id.* at ¶ [0043]). These modes of Koike are not dependent on detecting input signals on the input/output means.

With regards to the functionality of the two input/output means, Koike discloses,

“the first input/output means receives an analog audio and/or visual signal from an outside apparatus, converts the same to audio and/or visual data of a digital format, and outputs the same to the data transfer means and converts the audio and/or visual data transferred from the data transfer means to an audio and/or visual signal of the analog format and outputs the same to an outside apparatus; and the second input/output means receives audio and/or visual data from a communication line connected to an outside apparatus and outputs the same to the data transfer means and outputs the audio and/or visual data transferred from the data transfer means to a communication line connected to an outside apparatus.”

(*Id.* at ¶ [0013]). However, Koike fails to disclose or suggest that the data recording and reproducing apparatus operates in different modes depending on whether an outside apparatus is connected to the first or second input/output means. That is, Koike does not base the selection of an operating mode on the *detection* of an outside apparatus at the first or second input/output means. Furthermore, claim 1 also recites, “means for operating in a first operating mode *when no input signal is detected on the second input.*” Not only does Koike fail to disclose selecting an operating mode based on the detection of an outside apparatus at one of the two input/output means, but Koike fails to disclose or suggest selecting an operating mode when an outside apparatus is *not* detected at one of the two input/output means. Koike does not transfer data to or from an outside apparatus at the first input/output means if an outside apparatus is not detected at the second input/output means.

The Examiner states that “Koike discloses that depending on the signal whether it is digital or analog (i.e. video) the signal processor converts the signal to the opposite signal.” (*See*, 3/12/10 Office Action, p. 3). However, the Examiner’s statement merely

describes an A/D converter. It appears the Examiner is attempting to make the argument that if an analog input is connected in Koike an A/D conversion takes place (a first mode) and if a digital input is connected a D/A conversion takes place (a second mode).

However, this is an incorrect reading of Koike because these signals are converted if they are input. The Koike device does not switch to a different mode depending on whether the inputs are present, it merely converts the signals when they are input. If both are present, then both signals are converted. The operation to convert the analog signal in Koike is not dependent on a detection of whether there is a digital input and, similarly, the operation to convert the digital signal in Koike is not dependent on a detection of whether there is an analog input. Accordingly, Koike does not disclose a “means for operating *in a first operating mode when no input signal is detected on the second input*” or “a means for operating *in a second operating mode having different functionality than the first operating mode when an input signal is detected on the second input.*”

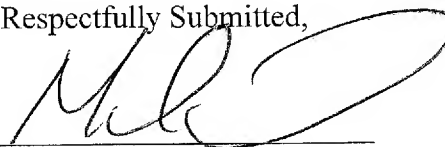
Therefore, Applicants respectfully request that the Examiner withdraw the rejection of claim 1 and its dependent claims 2-14.

Claim 15 recites, “operating in a second operating mode having different functionality than the first operating mode when an input signal is detected on the second input.” Thus, Applicants respectfully request that the rejection of claim 15 also be withdrawn for at least the foregoing reasons presented with regards to claim 1. Because claims 16 and 17 depend from and, therefore, contain all of the limitations of claim 15, it is respectfully requested that the rejection of these claims also be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application are believed to be in condition for allowance. If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to contact the undersigned.

Respectfully Submitted,



By: _____
Michael J. Marcin (Reg. No. 48,198)

Dated: June 9, 2010

Fay Kaplun & Marcin, LLP
150 Broadway, Suite 702
New York, NY 10038
Phone: 212-619-6000
Fax: 212-619-0276

Mail all correspondence to:
Kevin C. Ecker, Esq.
Senior IP Counsel
Philips Electronics North America Corp.
P.O. Box 3001
Briarcliff Manor, New York 10510-8001
Phone: (914) 333-9618